

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**  
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**21 MC 102 (AKH)**

**JULIO BASTIDAS,**

**DOCKET NO:  
07 CV 5276**

**Plaintiff,**

**-against-**

**100 CHURCH, LLC, 110 CHURCH LLC 53  
PARK PLACE, LLC ALAN KASMAN DBA  
KASCO, AMBIENT GROUP, INC., ANN TAYLOR  
TAYLOR STORES CORPORATION, BATTERY  
PARK CITY AUTHORITY, BLACKMON-MOORING  
STEAMATIC CATASTOPHE, INC., d/b/a BMS  
CAT, BOARD OF EDUCATION OF THE CITY  
OF NEW YORK, BROOKFIELD FINANCIAL  
PROPERTIES, INC., BROOKFIELD FINANCIAL  
PROPERTIES, L.C., BROOKFIELD PARTNERS, L.P.,  
BROOKFIELD PROPERTIES CORPORATION,  
BROOKFIELD PROPERTIES HOLDINGS, INC.,  
CUNNINGHAM DUCT CLEANING CO.,  
DEPARTMENT OF BUSINESS SERVICES, ENVIROTECH  
CLEANAIR, INC., GPS ENVIRONMENTAL  
CONSULTANTS, INC., HILLMAN ENVIRONMENTAL  
GROUP, LLC INDOOR AIR PROFESSIONALS, INC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,  
KASKO RESTORATION SERVICES CO., LAW  
ENGINEERING, P.C., LIONSHEAD 110 DEVELOPMENT  
LLC LIONSHEAD DEVELOPMENT LLC  
LIONSHEAD DEVELOPMENT LLC MERILL LYNCH  
& CO., NEW YORK CITY SCHOOL CONSTRUCTION  
AUTHORITY, NOMURA HOLDING AMERICA, INC.,**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

**NOMURA SECURITIES INTERNATIONAL, INC.,  
ROYAL AND SUNALLIANCE INSURANCE GROUP,  
PLC., STRUCTURE TONE (UK), INC., STRUCTURE  
TONE GLOBAL SERVICES, INC., TOSCORP, INC.,  
TRC ENGINEERS, INC., TRIBECA LANDING LLC  
WESTON SOLUTIONS, INC., WFP TOWER B CO., G.P.,  
CORP., WFP TOWER B HOLDING CO., L.P.,  
WFP TOWER B CO., LP., AND ZAR REALTY  
MANAGEMENT CORP.,**

**Defendants.**

.....X

**PLEASE TAKE NOTICE**, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102(AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 24, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Attorneys for Defendant  
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INC.**  
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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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Attorney for Plaintiff  
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**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 24th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
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KEVIN G. HORBATIUK